



DEPARTMENT OF ENVIRONMENTAL RESOURCES

3800 Cornucopia Way, Suite C, Modesto, CA 95358-9494
Phone: 209.525.6700 Fax: 209.525.6774

October 11, 2016

Riverdale Park Tract CSD
C/O Kelly Murphy
PO BOX 580343
Modesto, CA 95358

TRANSMITTAL OF CITATION NO. DER-16C-022 FOR TCR MCL FAILURE

The Riverdale Park Tract CSD Water System violated the Maximum Contamination Level (MCL) for total coliform bacteria during the month of September 2016, as specified in the Domestic Water Quality a Monitoring Regulation, Chapter 15, Title 22, California Code of Regulations. The Stanislaus County Department of Environmental Resources has issued Citation No. DER-16C-022 in response to this violation. The citation is being transmitted to the Riverdale Park Tract CSD Water System under cover of this letter. Please respond to each item of the Directives by the deadlines established in the citation.

Section 116650(d) and Section 116650(e) of the California Health and Safety Code allow for the assessment of a civil penalty for failure to comply with the requirements of Chapter 4 of the California Safe Drinking Water Act. Stanislaus County Ordinance provides that fees must be charged for staff time in responding to MCL violations. The fee charged is the Department's weighted labor rate of \$106.00 per hour, with a one-hour minimum. To date, 2.0 hours have been spent responding to the MCL violation. This Department will invoice you.

If you have any questions regarding this matter, please contact Rachel Riess at (209) 525-6720.

Sincerely,

David Lindsey, REHS
Registered Environmental Health Specialist

Enclosure (1)

STANISLAUS COUNTY
DEPARTMENT OF ENVIRONMENTAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH

TO: Riverdale Park Tract CSD
2426 Riverdale Ave
Modesto, CA 95352

Attn: Kelly Murphy
Riverdale Park Tract CSD

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1 (b)
TOTAL COLIFORM RULE VIOLATION
WATER SYSTEM NO. 5000019
C I T A T I O N N O . D E R - 1 6 C - 0 2 2
Issued on October 11, 2016**

The Department of Environmental Resources (hereinafter "Department"), acting by and through its Division of Environmental Health (hereinafter "Division") and the Manager for the Division (hereinafter "Manager"), hereby issues this Citation (hereinafter "Citation") pursuant to Sections 116330 (f) and 116650 of the California Health and Safety Code (hereinafter "CHSC") to the Riverdale Park Tract CSD (hereinafter, "Riverdale") for violation of Title 22, California Code of Regulations (CCR), Section 64426.1 (b).

1 **APPLICABLE AUTHORITIES**

2 **Section 116650 of California Health and Safety Code provides:**

3
4 (a) If the Division determines that a public water system is in violation of
5 this chapter or any regulation, permit, standard, citation, or order issued or adopted
6 thereunder, the Division may issue a citation to the public water system. The citation
7 shall be served upon the public water system personally or by certified mail. Service
8 shall be deemed effective as of the date of personal service or the date of receipt of
9 the certified mail. If a person to whom a citation is directed refuses to accept delivery
10 of the certified mail, the date of service shall be deemed to be the date of mailing.

11 (b) Each citation shall be in writing and shall describe the nature of the
12 violation or violations, including a reference to the statutory provision, standard, order,
13 citation, permit, or regulation alleged to have been violated.

14 (c) A citation may specify a date for elimination or correction of the
15 condition constituting the violation.

16 (d) A citation may include the assessment of a penalty as specified in
17 subdivision (e).

18 (e) The Division may assess a penalty in an amount not to exceed one
19 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each
20 day that a violation continues to occur. A separate penalty may be assessed for each
21 violation.

22
23 **California Code of Regulations, Title 22, Section 64426.1, subsection (b)**
24 **provides, in relevant part:**

25
26 (b) A public water system is in violation of the total coliform Maximum Contaminant
27 Level ("total coliform MCL") when any of the following occurs:

1 (2) For a public water system which collects fewer than 40 samples per month,
2 more than one sample collected during any month is total coliform-positive; or

3 (3) Any repeat sample is fecal coliform-positive or E.coli-positive; or

4 (4) Any repeat sample following a fecal coliform-positive or E.coli-positive
5 routine sample is total coliform-positive.

6
7 **STATEMENT OF FACTS**

8 Riverdale is operated under Water Supply Permit No. 2015-03-014, which was issued
9 on March 16, 2015.

10
11 Riverdale water system is located in Stanislaus County at the north-east corner
12 intersection of Parkdale Drive and Riverdale Avenue, approximately 0.03 miles south
13 of the City of Modesto. Riverdale's service area is approximately 44.8 acres in size.

14
15 Riverdale's water system is classified as a community water system that serves the
16 patrons of the Residential Community. According to the 2015 Annual Report to the
17 Division, Riverdale serves approximately 498 people through 178 service
18 connections. Zero (0) of these service connections are metered and one hundred and
19 seventy eight (178) are un-metered. The water system obtains its water supply from
20 one active well located on Riverdale property and a back-up supply line from the city
21 of Modesto.

22
23 The well and supply line discharge to three 3,392-gallon non-bladder steel pressure
24 tanks, prior to entering the domestic water system. Irrigation demands are not
25 provided by this well.

1 With a population of 498, the Riverdale water system is required to have one sample
2 examined for bacteriological quality every month from its distribution system.

3 Riverdale's contract laboratory, Far West Laboratories, utilizes the testing Standard
4 Methods 9223B Presence/Absence method for bacteriological analyses.

5
6 Specifically, on September 29, 2016, the Riverdale water system collected one
7 routine sample for bacteriological quality from the designated site in the distribution
8 system. One sample, collected from 2529 West Hatch, tested positive for total
9 coliform bacteria. The samples were negative for fecal coliform bacteria.

10
11 On September 30, 2016, the Riverdale water system collected four repeat samples
12 (one sample each from the routine coliform positive sample location, the downstream
13 locations, the upstream locations and the well head). Two of the repeat samples
14 tested positive for total coliforms and zero were fecal coliform positive.

15 16 DETERMINATION

17 The Division has determined that Riverdale failed to comply with the requirements of
18 Section 64426.1 (b) due to the fact that Riverdale had more than one sample during
19 the month of, September 2016 that was total coliform-positive. Therefore, Riverdale
20 is in violation of Section 64426.1 (b) of the California Code of Regulations.

21 22 DIRECTIVES

23 Riverdale is hereby directed to take the following actions:

- 24
25 1. By October 2, 2016, notify the consumers served by Riverdale of the
26 bacteriological quality (Total Coliform Rule) failure in conformance with Section
27 64464.3(a)(1), Title 22, CCR. The notification shall be provided in accordance
28 with the following:

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a. Provide written notice of the bacteriological water quality MCL violation by mail or by direct hand delivery to every customer and by publication of notice in a newspaper of general circulation in the area served by the Riverdale. The notice shall be published and delivered once, no later than the above mentioned date.

This notification shall be given in English. In addition, if the Riverdale water system serves a large proportion of other non-English speaking consumers, notices must contain some information in the appropriate language(s) on the importance of the notice as provided in the Department's guidance for the Consumer Confidence Report.

b. The contents of the notice, including the mandatory language, shall be approved by the Department prior to publication and delivery.

A sample notification form that can be used to satisfy the public notification requirement has already been provided to Sam Hedge by email.

2. By October 14, 2016, perform an investigation to determine the cause of possible significant rise in bacterial count in the Riverdale distribution system during the month of September 2016. A report of the investigation shall also be prepared in accordance with Section 64426 (b)(2), Title 22, CCR, and submitted to the Department by the above date. A form that should be used to meet this requirement also has already been sent to Sam Hedge by email.

The Division reserves the right to make such modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation, and shall be deemed effective upon issuance.

1 Nothing in this Citation relieves Riverdale of its obligation to meet the requirements of
2 the California Safe Drinking Water Act, or of any regulation, permit, standard, or order
3 issued or adopted thereunder.

4
5 All submittals required by this Citation shall be submitted to the Division at the
6 following address:

7
8 David Lindsey, REHS
9 Department of Environmental Resources
10 3800 Cornucopia Way, Suite C
11 Modesto, CA 95358
12

13 PARTIES BOUND

14 This Citation shall apply to and be binding upon Riverdale, its officers, directors,
15 shareholders, agents, employees, contractors, successors, and assignees.
16

17 SEVERABILITY

18 The Directives of this Citation are severable, and Riverdale shall comply with each
19 and every provision thereof, notwithstanding the effectiveness of any other provision.
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21 FURTHER ENFORCEMENT ACTION

22 The California SDWA authorizes the Department to: issue citation with assessment of
23 administrative penalties to a public water system for violation or continued violation of
24 the requirements of the California SDWA or any permit, regulation, permit or order
25 issued or adopted thereunder including, but not limited to, failure to correct a violation
26 identified in a citation or compliance order. The California SDWA also authorizes the
27 Board to take action to suspend or revoke a permit that has been issued to a public
28 water system if the system has violated applicable law or regulations or has failed to



1 comply with an order of the Department; and to petition the superior court to take
2 various enforcement measures against a public water system that has failed to
3 comply with violates an order of the Department. The Department does not waive any
4 further enforcement action by issuance of this citation.
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10 Date

10/11/16

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14 Rachel Riess, REHS
Senior Environmental Health Specialist
Division of Environmental Health
Department of Environmental Resources
Stanislaus County

15 Attachments:

- 16 1. Public Notification
17 2. Proof of Notification Form
18

19 Certified Mail No. 7014 3490 0001 6851 2980

BOIL WATER NOTICE

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

BOIL YOUR WATER BEFORE USING

Failure to follow this advisory could result in stomach or intestinal illness.

Due to the recent event [e.g., water outage, power outage, flood, fire, earthquake or other emergency situation], the State Water Resources Control Board, Division of Drinking Water in conjunction with the [County Name] County Health Department, and [Water System name] Water System are advising residents of [City, Town, System] to use boiled tap water or bottled water for drinking and cooking purposes as a safety precaution.

DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST. Bring all water to a boil, **let it boil for one (1) minute**, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking and food preparation **until further notice**. Boiling kills bacteria and other organisms in the water. [or This is the preferred method to assure that the water is safe to drink.]

Optional alternative to include for prolonged situations where it fits.

- An alternative method of disinfection for residents that are not able to boil their water is to use fresh, unscented, liquid household bleach. To do so, add 8 drops (or 1/8 teaspoon) of bleach per gallon of clear water or 16 drops (or 1/4 teaspoon) per gallon of cloudy water, mix thoroughly, and allow it to stand for 30 minutes before using. A chlorine-like taste and odor will result from this disinfection procedure and is an indication that adequate disinfection has taken place.
- Water disinfection tablets may also be used by following the manufacturer's instructions.
- **Optional:** Potable water is available at the following locations: [List locations]
Please bring a clean water container (5 gallons maximum capacity).

We will inform you when tests show that water is safe to drink and you no longer need to boil your water. We anticipate resolving the problem within [estimated time frame].

For more information call:

Water Utility contact: [Name, title, phone & address of responsible utility representative].

State Water Resources Control Board – Drinking Water Field Operations Branch- District Office at [(XXX) XXX-XXXX].

Local Environmental Health Jurisdiction: [XXXXXX County at (XXX) XXX-XXXX].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.



DEPARTMENT OF ENVIRONMENTAL RESOURCES

3800 Cornucopia Way, Suite C, Modesto, CA 95358-9492
Phone: 209.525.6700 Fax: 209.525.6774

**Drinking Water Notification to Consumers
PROOF OF NOTIFICATION**

Name of System: _____

Please explain what caused the problem if determined and what steps have been taken to correct it.

Consumers Notified _____ **Yes** _____ **No (if no explain)**

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code.

_____ Newspaper (if the problem has been corrected).

_____ Personally hand-delivering a copy to each of the consumers.

_____ Posting on a public bulletin board that will be seen by each of the consumers (for small non-community water systems with permission from the Environmental Resources Department)

_____ Other Approved Method: _____

I hereby declare the foregoing to be true and correct.

Dated: _____

Signature of Person Serving Notice

Notice: Complete this Proof of Notification and return it, along with a copy of the water user notification, to the Department of Environmental Resources, 3800 Cornucopia Way Suite C, Modesto, CA 95358, within **7 Days** after notifying water users.